



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,840	10/05/2001	Steven W. Trovinger	10013506	1610

7590 10/14/2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

KIM, EUGENE LEE

ART UNIT	PAPER NUMBER
----------	--------------

3721

DATE MAILED: 10/14/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/970,840

Applicant(s)

TROVINGER ET AL.

Examiner

Eugene L Kim

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/8/2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-12, 14, 15 and 17-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-12, 14, 15 and 17-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-12, 14, 15, 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trovinger (#18583) in view of Shingo (#4,304,561). Trovinger substantially show the claimed subject matter including a fold blade 217, a fold roller 232, drive means for moving at least one of the blade means or roller means as shown in figs 16-22 so that the fold roller passes around the folding blade 217. Trovinger shows fold flap means 230 and discloses that the pinch wheel assemblies which the contain the fold roller means 232 may be determined by the various widths of the sheets to be folded so that a number of folding wheel assemblies may be used (p. 22 bottom) which reads on the sub rollers. The folder assembly includes a plurality of fold rollers as shown in figs 14, 15 (p. 23 3rd paragraph) and the fold rollers comprise complementary spring loaded disks (p. 24 lines 4+). Trovinger also discloses that the drive means can cause the fold rollers to slide along the fold (p. 26 bottom to top of p. 27) by putting the fold rollers on pivoting arms which reads on moving the fold roller and fold relative to one another. Trovinger does not show the folding blade having a rounded folded surface. Shingo shows a folding blade 17 with a rounded edge 18 wherein the rounded edge is in contact with the workpiece (claim 2). This is so the film is folded accurately

Art Unit: 3721

without producing a crease that could injure the workpiece (col 2 lines 1+). Shingo shows a blade that is mounted on a slider 36 which is adjustable within recess 35 adjusting the blade as required. Since the blade comprises both the slider and blade means in combination, this reads on two sections of the blade movable since the slider and blade are both movable. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Trovinger with a round edge blade as taught by Shingo to eliminate injury to the folded workpiece by eliminating sharp creases. Examiner takes official notice that it is well known in the art to pivot elements for adjustability purposes. Regarding the limitations regarding adjustability, the examiner notes that the provision of adjustability, where needed, is not a patentable advance. See in re Stevens, 101 USPQ 284 (CCPA 1954).

3. Applicant's arguments filed 9/8/2003 have been fully considered but they are not persuasive.

In response to applicants arguments, the examiner is reading the claims in a broad context. The examiner suggests applicant to clearly define the planes. As shown in figures 19-22 in Trovinger, Trovinger shows the folding rollers wherein the rollers are in a non-engaging position and engaging position. The non-engaging position defines a first side of a plane and the engaging position defines another side of a plane wherein the roller will pass through the first plane to the second side of the plane when the rollers move from an engaging to non-engaging position. Examiner suggests applicant to incorporate language such that the axis of the movable folding blade move from a

Art Unit: 3721

position vertically below the axis of the folding rollers to position vertically above the axis of the folding rollers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene L Kim whose telephone number is 703 308-1886. The examiner can normally be reached on Tuesday-Friday 8 a.m. to 6 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 703 308-2187. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-1148.

A handwritten signature in black ink, appearing to read 'Eugene Kim', with a stylized flourish at the end.

**EUGENE KIM
PRIMARY EXAMINER**